

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

HOWARD R. LAY and JOANNE LAY,

Plaintiffs,

v.

MODELL'S SPORTING GOODS, INC.
SPARQ, INC. and NIKE, INC., et al,

Defendants.

No. 09-cv-04009-MLC-LHG

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

All parties hereby agree to dismiss named defendant "Modell's Sporting Goods, Inc.", identified also in this action as "Modell's NJ II, Inc. (incorrectly identified as "Modell's Sporting Goods, Inc.")", without prejudice.

**PELLETTIERI, RABSTEIN
& ALTMAN**

By: 

Edward Slaughter, Jr. Esquire
Attorney for Plaintiffs
Howard and Joanne Lay
100 Nassau Park Boulevard, Suite 111
CN 5301
Princeton, NJ 08543-5301

**HOLLSTEIN KEATING CATTELL
JOHNSON & GOLDSTEIN P.C.**

By: 

E. Michael Keating, Esquire
Patrick J. McStravick, Esquire
Attorney for Defendant
Modell's NJ II, Inc.
750 Route 73 South, Suite 301
Marlton, NJ 08053

Dated: _____

Dated: 6/2/11


**HAWORTH, COLEMAN
& GERSTMAN, LLC**

By: 

Scott L. Haworth, Esquire
Richard E. Barber, Esquire
Attorneys for Defendants
SPARQ Products, Inc. i/s/a
SPARQ, Inc. and NIKE Inc.
45 Broadway, 21st Floor
New York, New York 10006

Dated: 8/2/11

DAY PITNEY, LLP

By: 

John C. Maloney, Jr., Esquire
Attorney for Defendant
Wellpower Sporting Goods Co. Ltd.
One Jefferson Road
Parsippany, NJ 07054-2891

Dated: 8/2/11

APPROVED:

Judge Mary L. Cooper

Date